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WY BUY DUNALD

BADIAK & WILL, LLP Attorneys for Plaintiff

EMPIRE RESOURCES, INC.

106 Third Street

Mineola, New York 11501-4404

(516) 877-2225

Our Ref.: 06-1007-AW

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

EMPIRE RESOURCES, INC.,

Plaintiff.

07 CV 3613 (RJH)

-against-

M/V "OOCL BELGIUM", her engines, boilers, etc., and OCEANIC CONTAINER LINES, INC.,

Defendant.

ORDER OF VOLUNTARY DISMISSAL

AUG 3 1 2007

The above entitled matter having been settled, same be and herewith is adismissed. with prejudice and without costs, but without prejudice to renew within thirty (30) days if

settlements are not finalized.

DATED:

New York, New York

August 22, 2007

BADIAK & WILL, LLP Attorneys for Plaintiff EMPIRE RESOURCES, INC.

.06 Third Street

Mineola, New York 11501-4404

(516) 877-2225

Dur Ref.: 06-1007

SO ORDERED:

NO APPEARANCE BY DEFENDANTS